

BEFORE THE  
**FEDERAL COMMUNICATIONS COMMISSION**  
WASHINGTON, D.C.

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OFFICE OF THE SECRETARY

In the Matter of )  
 )  
**Amendment of Section 73.202(b),** )  
**Table of Allotments,** )  
**FM Broadcast Stations.** )  
 )  
**Wimbledon, North Dakota** )  
 )

MM Docket No. \_\_\_\_\_  
RM- \_\_\_\_\_

To: Chief, Allocations Branch, Mass Media Bureau

**PETITION FOR RULE MAKING**

High Plains Broadcasting, Inc. ("HPBI"), by its attorneys and pursuant to Section 1.401 of the Commission's Rules, respectfully requests that the Commission institute a rule making proceeding to allot Channel 276C1 to Wimbledon, North Dakota.

As set forth in the attached Technical Exhibit, which is incorporated by reference herein, this proposal will serve the public interest. The allotment of Channel 276C1 to Wimbledon, North Dakota, will provide that community with its first local aural transmission service. Wimbledon, a census designated city of 275 persons, see *1990 Census of Population and Housing, North Dakota* at 42 (1993), lies 21 miles northeast of (and in a different county than) Jamestown, North Dakota. The community, which has its own mayor and city council and its own zip code (58492) and post office, also is the site of the Wimbledon Public School and maintains a volunteer fire department. Commercially, Wimbledon has a number of business enterprises, including a bank, a hair stylist, a laundromat, a service station, M&J's Super Valu (a retail grocer), the Wimbledon Cafe, and the Wimbledon Grain Company. Wimbledon also has its own community health clinic. At least three religious denominations maintain buildings and services in Wimbledon, including the St. Boniface Catholic

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Church, St. Paul's Luthern Church and St. John's United Methodist Church. In addition, Wimbledon has its own social organizations, including a Little League, a Wimbledon Improvement Corporation, a Ladies' Auxiliary, and a Lions Club. Under Commission precedent, the presence of these civic, business, religious and social indicia demonstrate that Wimbledon is a community deserving of its own aural transmission service. See, e.g., *Report and Order (Hannahs Mill, Milledgeville and Perry, Georgia)*, 6 FCC Rcd 3753 at ¶ 9 (1991).

The above proposal would enable Wimbledon to obtain its own FM broadcast service and would provide a means of entertainment and information for its residents. If the above proposal is approved, it is HPBI's intention to apply for the above allotment promptly and, once granted, to implement construction as quickly as possible. Accordingly, it is respectfully requested that the Commission issue a Notice of Proposed Rule Making as herein requested and thereafter adopt such a proposal.

Respectfully submitted,

**HIGH PLAINS  
BROADCASTING, INC.**

By:   
F. William LeBeau

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Its Attorneys

November 24, 1998

TECHNICAL EXHIBIT  
IN SUPPORT OF A  
PETITION FOR RULE MAKING  
TO AMEND THE FM TABLE OF ALLOTMENTS  
WIMBLEDON, NORTH DAKOTA

Technical Narrative

This technical narrative and associated exhibits have been prepared in support of a Petition for Rule Making to amend Section 73.202(b) by the allotment of channel 276C1 (103.1 MHz) to Wimbledon, North Dakota.

Proposed Change in Table of Allotments

It is requested that Section 73.202(b) be amended by the allotment of channel 276C1 to Wimbledon, North Dakota. Wimbledon is located in Barnes County, North Dakota and has a 1990 U.S. Census population of 275 persons. Wimbledon has no local FM stations and no local AM stations. Therefore, Petitioner's proposal would be a first local FM broadcast service and first local aural broadcast service to Wimbledon. The proposed changes are as follows:

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Wimbledon, North Dakota	--	276C1

The proposed channel 276C1 reference point is located 231 km from the nearest point of the U.S.-Canadian border; therefore, coordination with Canada may be necessary.

Compliance With FCC Rules

The attached Figure 1 is a tabulation of required separations pertinent to use of channel 276C1 at Wimbledon. As shown, the reference coordinates comply with the Commission's minimum distance separation requirements contained in Section 73.207 with respect to all existing, authorized and proposed stations and allotments.

Figure 2 is a map showing the area to locate channel 276C1 at Wimbledon in compliance with the Commission's minimum distance separation requirements and city coverage requirements based on maximum Class C1 facilities (ERP 100 kW/HAAT 299 m). The Wimbledon city limits shown on Figure 2 were obtained from a map contained in the 1990 U.S. Census of Population.

Conclusion

Channel 276C1 can be allotted to Wimbledon, North Dakota in compliance with all applicable Commission Rules.

  
W. Jeffrey Reynolds

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240 North Washington Blvd.  
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Sarasota, Florida 34236

November 9, 1998

TECHNICAL EXHIBIT  
IN SUPPORT OF A  
PETITION FOR RULE MAKING  
TO AMEND THE FM TABLE OF ALLOTMENTS  
WIMBLEDON, NORTH DAKOTA

FM SEPARATION STUDY

Job Title : Proposed Wimbledon, ND

Separation Buffer 50 km

FCC DB Date : 11/07/98

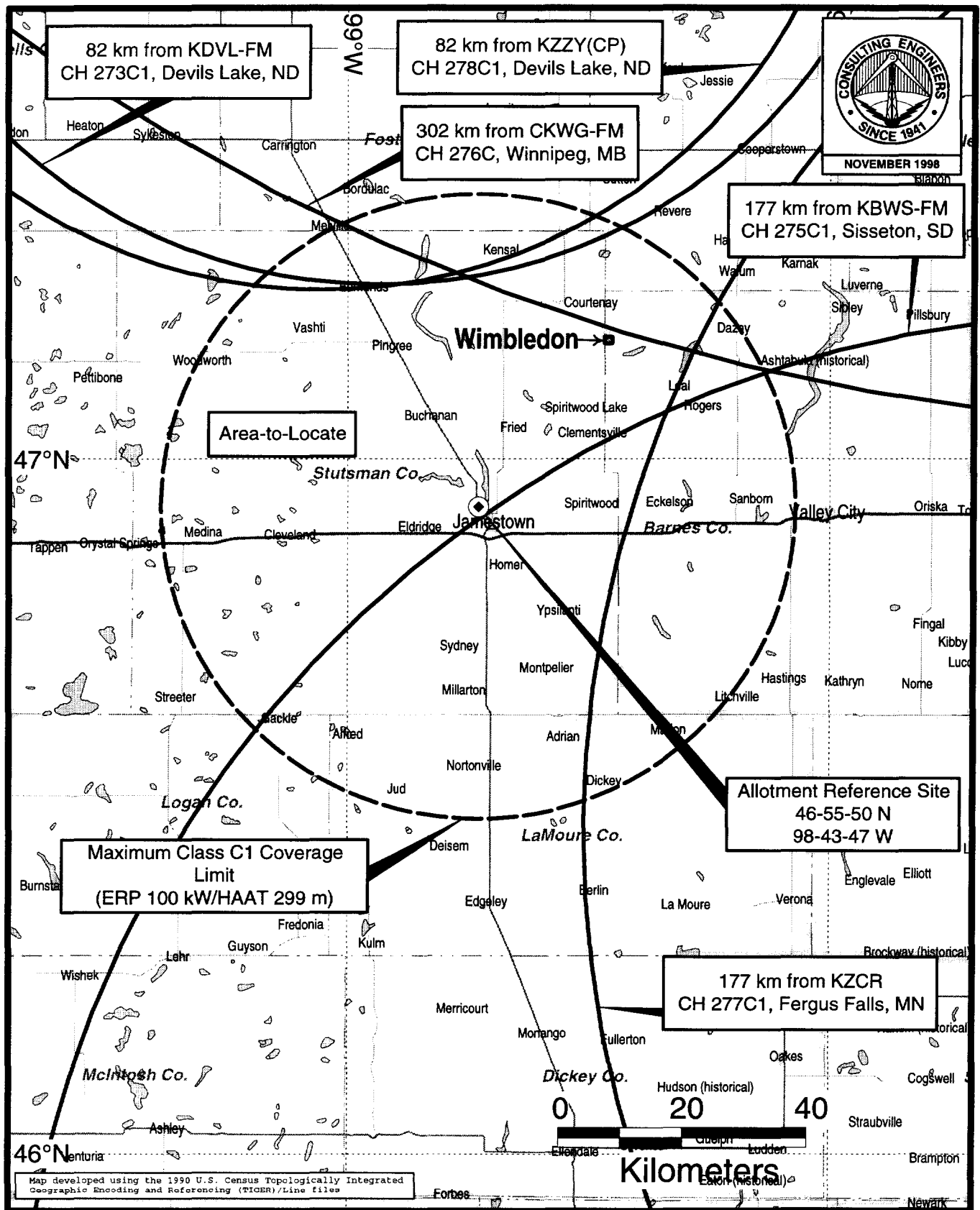
Channel 276C1 (103.1 MHz)

Coordinates : 46-55-50 98-43-47

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
KDVLFM LIC	Devils Lake ND	BLH830829AB	273C1 102.5	100. 143.0	47-59-16 98-55-59	352.7	118.55 36.55	82 CLEAR
KBWSFM LIC	Sisseton SD	BLH840201AE	275C1 102.9	100. 140.0	45-36-52 97-24-51	144.9	178.01 1.01	177 CLOSE
K276EA LIC	Pierre SD	BLFT971210TD	276D 103.1	.195 131.0	44-22-18 100-24-28	205.2	313.04 .00	0 TRANS
Translator for KVCXFM, Gregory, SD								
CKWGF	Winnipeg MB		276C 103.1	100. 110.0	49-45-54 97-07-56	19.9	336.69 34.69	302 CLEAR
KZCR LIC	Fergus Falls MN	BLH811005AH	277C1 103.3	100. 198.0	46-28-06 96-11-54	104.0	200.31 23.31	177 CLEAR
KZZY LIC	Devils Lake ND	BLH840406DT	278C1 103.5	100. 150.0	47-59-28 98-56-57	352.1	119.08 37.08	82 CLEAR
KZZY CP	Devils Lake ND	BPH980417IF	278C1 103.5	100. 138.0	47-58-49 99-03-11	348.4	119.24 37.24	82 CLEAR

\*\* End of separation study for channel 276C1 \*\*

Figure 2



## AREA-TO-LOCATE

CHANNEL 276C1

WIMBLEDON, NORTH DAKOTA

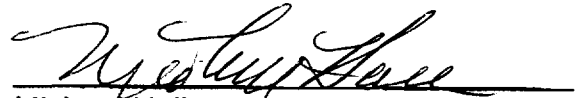
du Treil, Lundin & Rackley, Inc., Sarasota, Florida

**DECLARATION OF MICHAEL HALL**

I, Michael Hall, declare as follows:

1. I am President of High Plains Broadcasting, Inc. ("HPBI").
2. HPBI intends to apply for a construction permit for the channel requested in the attached Petition upon adoption of the proposed rule making.
3. If awarded the construction permit, HPBI will promptly construct and operate such facilities.

I hereby declare under penalty of perjury that the statements made in this declaration are true and accurate to the best of my knowledge, information and belief.

  
Michael Hall

Executed this 19<sup>th</sup> day of November, 1998.